

Message Text

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63
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 CCO-00 /026 R

DRAFTED BY AF/EPS:RBDUNCAN:WLK

APPROVED BY AF:DBBOLEN

L/PM:JMICHEL

H:SGOLDBERG (INFO)

AID - MR. MURPHY

S/S - APSHANKLE

----- 016924

O R 072350Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY DAR ES SALAAM IMMEDIATE

INFO AMEMBASSY MAPUTO

C O N F I D E N T I A L STATE 221442

EXDIS, FOR SCHAUFELE FROM BOLEN

E.O. 11652: GDS

TAGS: EAID, MZ

SUBJECT: ASSISTANCE FOR MOZAMBIQUE

1. DURING AUGUST 19 MEETING BETWEEN STATE, AID, JUSTICE, OMB, AND WHITE HOUSE (COUNSEL TO THE PRESIDENT PHILIP BUCHEN), IT WAS AGREED THAT WE SHOULD PROCEED DURING TRANSITIONAL QUARTER TO CONCLUDE GRANT AGREEMENT WITH THE GOVERNMENT OF MOZAMBIQUE IN FULFILLMENT OF SECRETARY'S LUSAKA COMMITMENT DESPITE ANY OBJECTION OF APPROPRIATIONS COMMITTEES OF THE CONGRESS WHICH MIGHT ARISE. THIS DECISION REFLECTS PRESIDENT'S DETERMINATION THAT THE APPROPRIATION COMMITTEE APPROVAL PROVISION IN FY 1976 APPROPRIATIONS ACT VIOLATES THE FUNDAMENTAL CONSTITUTIONAL DOCTRINE OF SEPARATION OF POWERS.

2. AID IS PROCEEDING WITH ALL IN-HOUSE ACTION REQUIRED AND PLANS TO BEGIN NEGOTIATION OF AGREEMENT WITH GOM AS CONFIDENTIAL

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SOON AS CONGRESSIONAL ACTION ON FY 1977 APPROPRIATIONS BILL

IS COMPLETED WITH EXPECTATION OBTAINING SIGNATURE DURING
LAST FEW DAYS OF TRANSITIONAL QUARTER.

3. WE ALSO PLAN TO INFORM APPROPRIATION COMMITTEES OF
CONGRESS OF OUR DECISION AFTER CONFERENCE ACTION ON

FY 1977 FOREIGN ASSISTANCE APPROPRIATIONS BILL (NOW
EXPECTED ABOUT SEPTEMBER 20) IN KEEPING WITH PRESIDENT'S
STATEMENT THAT DESPITE UNCONSTITUTIONALITY OF PRIOR
COMMITTEE APPROVAL PROVISION, EXECUTIVE BRANCH WOULD
KEEP COMMITTEES CURRENTLY INFORMED IN SPIRIT OF COOPERA-
TION.

4. PRACTICE OF WAITING 15 DAYS AFTER NOTICE TO APPROPRIA-
TIONS COMMITTEES BEFORE INCURRING OBLIGATIONS NOT PRE-
VIOUSLY JUSTIFIED TO THE COMMITTEES HAS BEEN NORMAL
PROCEDURE BUT IS NOT LEGALLY REQUIRED.

ROBINSON

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NNN

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